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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,253	05/31/2006	Hitoshi Yokoyama	2006-0736A	1805
513 7590 05/13/2010 WENDEROTH, LIND & PONACK, L.L.P. 1030 15th Street, N.W., Suite 400 East Washington, DC 20005-1503				
EXAMINER				
BADR, HAMID R				
ART UNIT		PAPER NUMBER		
1781				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Advisory Action

Applicants' amendment after final rejection filed 4/19/2010 is acknowledged.

The amendment is not entered for the following reasons.

1. Claim 9 which was depending on claim 1 is now presented as an independent claim with an amendment which requires further consideration and search.
 2. The amendment to claim 9 in the first section requires the sterilization of the fermented product and in the second section recites mixing the fermented soybean protein. Therefore, since it is not clear whether the sterilized product is mixed or the fermented product, before sterilization, is mixed into the cereal flour. This will raise issues under 35 USC 112 second paragraph.
 3. Claims 11-15 are newly presented in this after final amendment. Their introduction at this stage requires new search, consideration and examination.
- For the above mentioned reasons, the amendment is not entered.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAMID R. BADR whose telephone number is (571)270-3455. The examiner can normally be reached on M-F, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks can be reached on (571) 272-1401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hamid R Badr
Examiner
Art Unit 1781

/Keith D. Hendricks/
Supervisory Patent Examiner, Art Unit 1781